

~~RESTRICTED~~*Ecuador*

**THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA**

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SUBJECT: VOLUNTARY DATA ON TERRITORIAL
RIGHTS WITH REGARD TO FISHING

REC'D
SEPT 26 PREPARED BY: Robert H. Fraser, Vice Consul

The current understanding of the territorial rights is quoted from the Codigo Civil de la Republica del Ecuador, Libro II, Titulo III, Articulo 582 and reads as follows:

"El mar adyacente, hasta la distancia de una legua marina, medida desde la linea de mas baja marea, es mar territorial y de dominio nacional; pero el derecho de policia, para objetos concernientes a la seguridad de la Nación y a la observancia de las leyes fiscales, se extiende hasta la distancia de cuatro leguas marinas, medidas de la misma manera."

and is translated as follows:

"The adjacent sea, from the distance of one marine league, measured from the line of lowest tide, is territorial water and of national domain; but the right of police control for matters concerning the security of the Nation and for the observance of the fiscal laws extends for the distance of four marine leagues, measured in the same manner."

Using 5,572 meters as equaling one marine league and 1,609.35 meters for one mile, it is determined that the territorial water extends only to 3.4623 statute miles out, but that for the collection of taxes on foreign fishing vessels, the territorial water extends to 13.85 statute miles. As is demonstrated on the enclosed map, the police control has been construed to understand that the Galapagos Islands are treated as one group and that naval and tax-collection control extends from the outermost perimetric tips of the group in spite of the fact that the distance between Isla Isabela (Albermarle Island) and Isla Wenman is

considerably

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considerably over 27.7 miles. The law has been obviously construed so that this area would be included in the taxable zone inasmuch as this is the richest fishing ground.

Robert H. Fraser
Robert H. Fraser
Vice Consul

Approved:

Franklin Conklin
Franklin Conklin 3rd
Commercial Attaché

Sources of Information:

Ministerio de Defensa,
Armada Nacional
Ministerio de Economía,
Departamento de Pesca

Original on Parchment to Department
CC: Guayaquil

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RHFraser:njd

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